



INTERNATIONAL TRADE COMMISSION

Inv. No. 337-TA-814

CERTAIN AUTOMOTIVE GPS NAVIGATION SYSTEMS, COMPONENTS THEREOF, AND PRODUCTS CONTAINING SAME INSTITUTION OF INVESTIGATION

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 21, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Beacon Navigation GmbH of Switzerland. A letter supplementing the complaint was filed on November 8, 2011. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain automotive GPS navigation systems, components thereof, and products containing same by reason of infringement of certain claims of U.S. Patent No. 6,374,180 (“the ‘180 patent”); U.S. Patent No. 6,178,380 (“the ‘380 patent”); U.S. Patent No. 6,029,111 (“the ‘111 patent”); and U.S. Patent No. 5,862,511 (“the ‘511 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue exclusion orders and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of

the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on November 17, 2011, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain automotive GPS navigation systems, components thereof, and products containing same that infringe one or more of claims 1-4, 7-9, and 15 of the '180 patent; claims 1-4, 18-21, and 25-31 of the '380 patent; claims 1-3, 5, 10-12, and 17-21 of the '111 patent; and claims 1 and 3 of the '511 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 C.F.R. § 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors, 19 U.S.C. §§ 1337(d)(1), (f)(1), (g)(1), and shall not include the other issues raised by certain of the respondents in their responses to the Commission's Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest (76 *Fed. Reg.* 66750);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Beacon Navigation GmbH
c/o Acton Treuhand AG
Innere Güterstrasse 4
6304 Zug
Switzerland

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Audi AG
Ettinger Strasse
D-85045, Ingolstadt
Germany

Audi of America, Inc.
3800 W. Hamlin Road
Auburn Hills, MI 48326

Audi of America, LLC
2200 Ferdinand Porsche Dr.
Herndon, VA 20171

Bayerische Motoren Werke AG
Petuelring 130
D-80788, Munich
Germany

BMW of North America, LLC
300 Chestnut Ridge Rd.
Woodcliff Lake, NJ 07677

BMW Manufacturing Co., LLC
1400 Hwy. 101 S.
Greer, SC 29651-6731

Chrysler Group LLC
1000 Chrysler Drive

Auburn Hills, MI 48326

Ford Motor Company

One American Road

Dearborn, MI 48126

General Motors Company

300 Renaissance Center

Detroit, MI 48265

Honda Motor Co., Ltd.

1-1, 2-chome, Minami-Aoyama, Minato-ku

Tokyo 107-8556

Japan

Honda North America, Inc.

700 Van Ness Ave.

Torrance, CA 90501

American Honda Motor Co., Inc.

1919 Torrance Blvd.

Torrance, CA 90501

Honda Manufacturing of Alabama, LLC

1800 Honda Drive

Lincoln, AL 35096

Honda Manufacturing of Indiana, LLC

2755 North Michigan Ave.

Greensburg, IN 47240

Honda of America Mfg., Inc.

24000 Honda Pkwy.

Marysville, OH 43040

Hyundai Motor Company

231 Yangjae-Dong, Seocho-Gu

Seoul 137-938

South Korea

Hyundai Motor America

10550 Talbert Ave.

Fountain Valley, CA 92708

Hyundai Motor Manufacturing Alabama, LLC

700 Hyundai Blvd.

Montgomery, AL 36105

Kia Motors Corp.

231 Yangjae-dong, Seocho-gu

Seoul 137-938

South Korea

Kia Motors America, Inc.

111 Peters Canyon Rd.

Irvine, CA 92606

Kia Motors Manufacturing Georgia, Inc.

7777 Kia Parkway

West Point, GA 31833

Mazda Motor Corporation

3-1 Shinchu, Fuchu-cho, Aki-gun,

Hiroshima 730-8670

Japan

Mazda Motor of America, Inc.

7755 Irvine Center Dr.

Irvine, CA 92623

Daimler AG

Mercedesstrasse 137

70327 Stuttgart

Germany

Mercedes-Benz USA, LLC

One Mercedes Dr.

Montvale, NJ 07645

Mercedes-Benz U.S. International, Inc.

One Mercedes Dr.

Vance, AL 35490

Nissan Motor Co., Ltd.

1-1, Takashima 1-chome, Nishi-ku

Yokohama-shi, Kanagawa 220-8686

Japan

Nissan North America, Inc.

One Nissan Way

Franklin, TN 37067

Dr. Ing. h.c. F. Porsche AG

Porscheplatz 1

D-70435 Stuttgart

Germany

Porsche Cars North America, Inc.

980 Hammond Dr., Ste. 1000

Atlanta, GA 30328

Saab Automobile AB

461 80 Trollhattan

Sweden

Saab Cars North America, Inc.

4327 Delemere Ct.

Royal Oak, MI 48073

Suzuki Motor Corporation

300 Takatsuka-cho

Minami-ku, Hamamatsu City, 432-8611

Japan

American Suzuki Motor Corporation

3251 E. Imperial Hwy.

Brea, CA 92821

Jaguar Land Rover North America, LLC

555 MacArthur Blvd.

Mahwah, NJ 07430

Jaguar Cars Limited

Abbey Road, Whitley

Coventry CV3 4LF

United Kingdom

Land Rover

Banbury Road, Gaydon

Warwickshire, CV35 0RR

United Kingdom

Toyota Motor Corporation

1 Toyota-cho

Toyota City, Aichi Prefecture 471-8571

Japan

Toyota Motor North America, Inc.

19001 S. Western Avenue

Torrance, CA 90501

Toyota Motor Sales, U.S.A., Inc.

19001 S. Western Avenue

Torrance, CA 90501

Toyota Motor Engineering & Manufacturing North America, Inc.

25 Atlantic Avenue

Erlanger, KY 41018

Toyota Motor Manufacturing, Indiana, Inc.

4000 Tulip Tree Drive

Princeton, IN 47670

Toyota Motor Manufacturing, Kentucky, Inc.

1001 Cherry Blossom Way

Georgetown, KY 40324

Toyota Motor Manufacturing, Mississippi, Inc.

1200 Magnolia Way

Blue Springs, MS 38828

Volkswagen AG

Briefach 1849

Wolfsburg, 38436

Germany

Volkswagen Group of America, Inc.

2200 Ferdinand Porsche Dr.

Herndon, VA 20171

Volkswagen Group of America Chattanooga Operations, LLC

2200 Ferdinand Porsche Dr.

Herndon, VA 20171

Volvo Car Corporation

405 31 Goteborg

Sweden

Volvo Cars of North America, LLC

1 Volvo Dr.

Rockleigh, NJ 07647

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and

Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

James R. Holbein

Secretary to the Commission

Issued: November 17, 2011

[FR Doc. 2011-30186 Filed 11/22/2011 at 8:45 am; Publication Date: 11/23/2011]